

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Criminal No. 15-cr-20040

-v.-

Honorable Judith E. Levy

LESHOUN DEANDRE BYRD,

Defendant.

\_\_\_\_\_/.

**GOVERNMENT'S SUPPLEMENT TO MOTION FOR ENTRY OF  
PRELIMINARY ORDER OF FORFEITURE (DOCKET #149)**

The United States, by and through counsel, Daniel L. Lemisch, Acting United States Attorney, and Julie A. Beck, Assistant United States Attorney, provides this supplement to its brief in support of the motion for entry of preliminary order of forfeiture (docket #149).

Respectfully submitted,

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[P53291]

Dated: April 7, 2017

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**SUPPLEMENT TO BRIEF IN SUPPORT OF MOTION**

The government incorporates by reference its Motion for Preliminary Order of Forfeiture (docket #149).

Additional information already in the record on which the Court may rely when determining the amount of a money judgment to impose against Defendant LeShoun Byrd is found in the trial record of Tashun White.

Tashun White proceeded to trial on November 28, 2016, challenging allegations that she participated in a money laundering conspiracy with Defendant Byrd and others. At trial, co-defendant Jimmy McWherter testified about his involvement in the conspiracy. On December 1, 2016, when asked on direct examination about his knowledge of how much Derrick White and LeShoun Byrd were paying for marijuana in Arizona, he answered: “It was, depending on the time

of year, 400 a pound, 500 a pound.” *See* Trial Transcript, docket #131, p. 33. When asked how he knew this, McWherter responded that he heard, “D and Shoun talking about it.” *Id.* Tashun White was convicted by a jury of money laundering. *See Verdict Form*, docket #120. Given that McWherter’s testimony is consistent with the Declaration attested to by DEA Special Agent Jeff Campbell, the government contends that the Court can find the price of bulk marijuana at the time of this conspiracy was \$400/pound.

Federal Rule of Criminal Procedure 32.2 provides that the Court may rely on “evidence already in the record” which it accepts as “relevant and reliable” when determining forfeiture, including a money judgment. Fed.R.Crim.P. 32.2(b)(1)(B).

Respectfully submitted,

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**CERTIFICATION OF SERVICE**

I hereby certify that on April 7, 2017, I electronically filed the foregoing using the ECF system, which will send notification of such filing to all ECF participants.

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